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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,933	03/06/2002	John C. Karamanos	0003-029	7363

7590 11/17/2003  
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EXAMINER

WAYNER, WILLIAM E

ART UNIT PAPER NUMBER

3744

DATE MAILED: 11/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/092,933

Applicant(s)

ET AL

JOHN KA RAMANOS

Examiner

Art Unit

WILLIAM WAYNER

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 8/8/03
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 4-9, 11-20, 22, 25-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14-19, 26, 27, 34-42 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4-9, 20, 22, 28 is/are rejected.
- 7) ☒ Claim(s) 11-13, 25, 29-33 is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

Claims 7-9, 22 rejected under 35 U.S.C. 103(a) as being unpatentable over Haessig in combination with Hargraves.

Haessig shows (in FIG. 1), a ventilation control unit having a plenum, which starts near thermal coil 55 and extends to flow controller 67 and a flow sensor 80 fixed to the plenum.

Hargraves shows an automatic controlled expansion valve 15 for providing superheat control for an air conditioning system (col. 4, line 57). In order to achieve efficient operation of, cooling coil 53, it would have been obvious to provide Haessig with an automatic valve.

Claims 1,2,4-6, 20, 28 which were previously indicated as allowable are being rejected because of newly found art.

Claims 1,2,4-6,20,28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haessig, as applied above, in view of Noboru

Noboru shows a ventilation system similar to Haessig, which has an isolation valve 7, which is used to prevent air contamination from within building 2 escaping to

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the outside environment. In order to achieve this function it would be obvious to so provide Haessig.

Any inquiry concerning this communication should be directed to William E Wayner at telephone number 703-308-1041.

*William Wayner*  
William Wayner  
Primary Examiner